

1 The Honorable James L. Robart
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8 UNITED STATES DISTRICT COURT
9 WESTERN DISTRICT OF WASHINGTON AT SEATTLE

10 PHILIPS NORTH AMERICA LLC, a
11 Delaware Company; KONINKLIJKE PHILIPS
12 N.V., a Company of the Netherlands; and
13 PHILIPS INDIA, LTD., an Indian Company,

14 Plaintiffs,
15 vs.
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17 SUMMIT IMAGING INC., a Washington
18 Corporation; LAWRENCE R. NGUYEN, an
19 individual; and DOES 1-10, inclusive,

20 Defendants.

21 NO. 2:19-cv-01745-JLR

22 **STIPULATED MOTION AND**
~~PROPOSED~~ ORDER EXTENDING
TIME FOR PLAINTIFFS TO
RESPOND TO DEFENDANTS'
THIRD COUNTERCLAIM

23 NOTE ON MOTION CALENDAR:
December 29, 2020

24 I. STIPULATION

25 Plaintiffs Philips North America LLC, Koninklijke Philips N.V. and Philips India, Ltd.
and Defendants Summit Imaging, Inc. and Lawrence R. Nguyen, by and through their
undersigned counsel of record, hereby stipulate and agree as follows:

26 1. On November 16, 2020, the Court granted Plaintiffs' Motion to Dismiss
27 Defendants' first and second counterclaims and denied the motion to dismiss the third
counterclaim. ECF 73.

STIPULATED MOTION AND ORDER EXTENDING TIME
FOR PLAINTIFFS TO RESPOND TO DEFENDANTS' THIRD
COUNTERCLAIM - 1
(No. 2:19-cv-01745-JLR)

SAVITT BRUCE & WILLEY LLP
1425 Fourth Avenue Suite 800
Seattle, Washington 98101-2272
(206) 749-0500

1 2. On December 7, 2020, Defendants filed amended conditional first and second
2 counterclaims. ECF-84-1.

3 3. Under the presently operative schedule, Plaintiffs' deadline to Answer the Third
4 Counterclaim for Copyright Misuse is January 4, 2021. ECF 93.

5 4. On December 16, 2020, the Court bifurcated and stayed Defendants amended
6 conditional first and second counterclaims. ECF 94.

7 5. On December 23, 2020, the Court granted Plaintiffs' Motion for Leave to File a
8 Third Amended Complaint. ECF 98.

9 6. In accordance with the Court's Order, Plaintiffs filed the Third Amended
10 Complaint on December 28, 2020. ECF 99.

11 7. Pursuant to FRCP 15(a)(3), Defendants' deadline to Answer the Third Amended
12 Complaint is January 11, 2021.

13 8. In order to avoid duplicative answers to the Third Counterclaim, the parties are
14 agreed—subject to the Court's approval—that Plaintiffs' Answer to Defendants' Third
15 Counterclaim will be due not later than fourteen (14) days after Defendants file their
16 forthcoming Answer to the Third Amended Complaint.

17 9. The parties are further agreed that the present stipulation and proposed order do
18 not alter or effect the Court's existing order bifurcating and staying Defendants' amended
19 conditional first and second counterclaims (ECF 94), which order remains in effect and
20 applicable to Defendants' conditional first and second counterclaims as reiterated in their
21 forthcoming Answer to the Third Amended Complaint.

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24 STIPULATED MOTION AND ORDER EXTENDING TIME
25 FOR PLAINTIFFS TO RESPOND TO DEFENDANTS' THIRD
26 COUNTERCLAIM - 2
27 (No. 2:19-cv-01745-JLR)

SAVITT BRUCE & WILLEY LLP
1425 Fourth Avenue Suite 800
Seattle, Washington 98101-2272
(206) 749-0500

1 SO STIPULATED AND AGREED: December 29, 2020.
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3 **SAVITT BRUCE & WILLEY LLP**
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5 By /s/ Stephen C. Willey
6 Stephen C. Willey, WSBA #24499
7 1425 Fourth Avenue, Suite 800
8 Seattle, WA 98101-2272
9 Telephone: 206.749.0500
10 Email: swilley@sbwllp.com

11 **REED SMITH LLP**
12

13 Christine Morgan (*pro hac vice*)
14 Johnathan I. Detrixhe (*pro hac vice*)
15 101 Second Street, Suite 1800
16 San Francisco, CA 94105-3659
17 Telephone: (415) 543-8700
18 Email: cmorgan@reedsmith.com
19 Email: jdetrixhe@reedsmith.com

20 Carla M. Wirtschafter (*pro hac vice*)
21 1901 Avenue of the Stars, Suite 700
22 Los Angeles, CA 90067
23 Telephone: (310) 734-5200
24 Email: cwirtschafter@reedsmith.com

25 Kirsten R. Rydstrom (*pro hac vice*)
26 Richard A. Graham (*pro hac vice*)
27 Reed Smith Centre, 225 Fifth Ave
Pittsburgh, PA 15222
Telephone: (412) 288-3131
Email: krydstrom@reedsmith.com
Email: rgraham@reedsmith.com

28 Gerard M. Donavan (*pro hac vice*)
29 1301 K Street, N.W.
30 Suite 1000, East Tower
31 Washington, DC 20005-3317
32 Telephone: (202) 414-9200
33 Email: gdonovan@reedsmith.com

34 *Attorneys for Plaintiffs Koninklijke Philips N.V.,*
35 *Philips North America LLC, and*
36 *Philips India, Ltd.*

SEED IP LAW GROUP LLP

By /s/ Marc C. Levy [email authorization]
Russell Tarleton, WSBA #17006
Marc C. Levy, WSBA #19203
Jeffrey E. Danley, WSBA #52747
Thomas A. Shewmake, WSBA #50765
701 Fifth Avenue, Suite 5400
Seattle, WA 98104
Telephone: (206) 622-4900
Email: RussT@seedip.com
Email: MarcL@seedip.com
Email: JeffD@seedip.com
Email: TomShemake@seedip.com

*Attorneys for Defendants Summit Imaging Inc.
and Lawrence R. Nguyen*

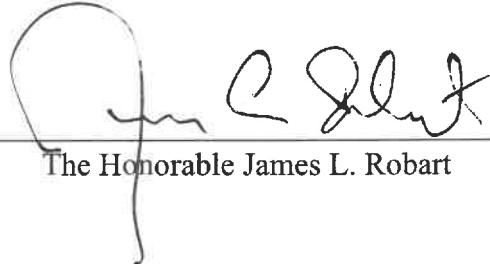
**STIPULATED MOTION AND ORDER EXTENDING TIME
FOR PLAINTIFFS TO RESPOND TO DEFENDANTS' THIRD
COUNTERCLAIM - 4
(No. 2:19-cv-01745-JLR)**

SAVITT BRUCE & WILLEY LLP
1425 Fourth Avenue Suite 800
Seattle, Washington 98101-2272
(206) 749-0500

1 **II. ORDER**
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4 It is so ORDERED.
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7 DATED: 30 December, 2020.
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11 The Honorable James L. Robart
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STIPULATED MOTION AND ORDER EXTENDING TIME
FOR PLAINTIFFS TO RESPOND TO DEFENDANTS' THIRD
COUNTERCLAIM - 5
(No. 2:19-cv-01745-JLR)

SAVITT BRUCE & WILLEY LLP
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(206) 749-0500

1 CERTIFICATE OF SERVICE

2 The undersigned hereby certifies that, on December 29, 2020, I electronically filed the
3 foregoing document with the Clerk of the Court using the CM/ECF system which will send
4 notification of such filing to all counsel of record.

5 I declare under penalty of perjury under the laws of the United States of America that
6 the foregoing is true and correct.

7 DATED this 29th day of December, 2020 at Seattle, Washington.

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10 Nate Garberich

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